

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JULIE A. SU, Acting Secretary of Labor,
United States Department of Labor;

Plaintiff,

vs.

DIGNITY HOME CARE INC., and
M'MOUPIENTILA N'KENON N'DA,

Defendants.

8:23CV465

**THIRD AMENDED FINAL
PROGRESSION ORDER**

This matter is before the Court on Defendant's Joint Motion for Extension of Discovery Deadlines ([Filing No. 36](#)). As set out below, the motion is granted. Accordingly,

IT IS ORDERED that the final progression order is amended as follows:

- 1) The trial and pretrial conference will not be set at this time. The current status call scheduled for January 21, 2025 at 9:00 a.m. is **continued** and will be held before the undersigned magistrate judge on **March 26, 2025 at 9:00 a.m** by telephone. The parties shall use the case conference instructions found at [Filing No. 32](#) to participate in the call.
- 2) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is March 18, 2025. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by April 1, 2025.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 3) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is March 18, 2025.
- 4) The deadline for filing motions to dismiss and motions for summary judgment is April 15, 2025.

- 5) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is April 15, 2025.
- 6) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 7) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 8) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 17th day of January, 2025.

BY THE COURT:

s/ Ryan C. Carson
United States Magistrate Judge